

108TH CONGRESS
1ST SESSION

H. R. 1565

To establish a National Center for Military Deployment Health Research in the Department of Health and Human Services to provide an independent means for the conduct and coordination of research into issues relating to the deployment of members of the Armed Forces overseas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2003

Ms. BALDWIN (for herself, Ms. LEE, Mr. FROST, Mr. SANDERS, Mrs. JONES of Ohio, Mr. McDERMOTT, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Veterans' Affairs, the Budget, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a National Center for Military Deployment Health Research in the Department of Health and Human Services to provide an independent means for the conduct and coordination of research into issues relating to the deployment of members of the Armed Forces overseas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Servicemembers
3 Health Protection Act of 2003”.

4 **TITLE I—NATIONAL CENTER**
5 **FOR MILITARY DEPLOYMENT**
6 **HEALTH RESEARCH**

7 **SEC. 101. ESTABLISHMENT OF NATIONAL CENTER FOR**
8 **MILITARY DEPLOYMENT HEALTH RESEARCH.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—There is established in the
11 Department of Health and Human Services a center
12 to be known as the National Center for Military De-
13 ployment Health Research (hereinafter in this Act
14 referred to as the “Center”).

15 (2) DIRECTOR.—The Center shall be headed by
16 a Director, who shall be appointed by the Secretary
17 of Health and Human Services.

18 (3) PURPOSE.—The Center shall, in accordance
19 with this Act, conduct research on deployment-re-
20 lated health issues of members of the Armed Forces,
21 veterans, and their families and serve as the national
22 center for coordination of private and public re-
23 search on those issues.

24 (b) DEPLOYMENT-RELATED HEALTH ISSUES DE-
25 FINED.—For purposes of this Act, the term “deployment-
26 related health issues” includes the following:

1 (1) Issues relating to injuries, diseases, dis-
2 orders, or other health conditions of members of the
3 Armed Forces arising or incurred during deployment
4 and resulting from combat, training, infectious dis-
5 eases, and environmental exposures.

6 (2) Conditions that emerge during or following
7 deployment, including—

8 (A) diagnosable conditions;

9 (B) medically unexplained symptoms (both
10 physical and mental);

11 (C) effects on health-related quality of life;

12 (D) family impacts; and

13 (E) sequelae of combat injuries.

14 (3) Conditions arising from inoculations before
15 deployment that are intended to provide protection
16 from conditions that could be encountered during
17 deployment.

18 **SEC. 102. FUNCTIONS.**

19 (a) IN GENERAL.—The functions of the Center shall
20 be as follows:

21 (1) Development of a coordinated research plan
22 for deployment-related health issues.

23 (2) Conducting and supporting research relat-
24 ing to deployment-related health issues.

1 (3) Creation of policies for conducting and sup-
2 porting such research and making the results of
3 such research available to the public and guidelines
4 for the conduct and dissemination of research by
5 other Federal entities and by non-Federal entities,
6 in matters relating to deployment-related health
7 issues of members of the Armed Forces, veterans,
8 and their families, including policies to minimize re-
9 search duplication.

10 (4) Evaluation of the results of research de-
11 scribed in paragraph (3).

12 (5) Development of policy recommendations
13 that emerge from that research.

14 (6) Communication of the results of the re-
15 search described in paragraph (3) to the medical
16 community and persons with deployment-related
17 health issues.

18 (b) CORE FUNCTIONS.—The Center shall carry out
19 the following core functions:

20 (1) Research coordination and setting of prior-
21 ities.

22 (2) Synthesis of research for the purpose of de-
23 veloping policy recommendations.

24 (3) Review and analysis of longitudinal moni-
25 toring of deployment-related health of veterans.

1 (4) Facilitating the use of national data re-
2 sources for research activities relating to deploy-
3 ment-related health issues.

4 (5) Communication of the results of such re-
5 search activities to the medical community and per-
6 sons with deployment-related health issues.

7 (c) CONSULTATION.—The Director of the Center
8 shall consult closely with the Advisory Committee on Mili-
9 tary Deployment Health Research established under sec-
10 tion 104 on all aspects of the activities of the Center.

11 **SEC. 103. RESEARCH NETWORK.**

12 (a) IN GENERAL.—The Center shall coordinate and
13 conduct research activities relating to deployment-related
14 health issues of members of the Armed Forces, veterans,
15 and their families. The Center’s research activities shall
16 include (1) activities with respect to research programs by
17 other Federal departments and agencies, and (2) research
18 activities initiated by the Center.

19 (b) FEDERAL RESEARCH PROGRAMS.—

20 (1) INVENTORY OF FEDERAL RESEARCH PRO-
21 GRAMS.—The Center shall develop and maintain an
22 inventory of research programs relating to deploy-
23 ment-related health issues carried out by the Sec-
24 retary of Defense, the Secretary of Veterans Affairs,

1 the Secretary of Health and Human Services, and
2 other Federal officials.

3 (2) CONSULTATION.—The Center shall consult
4 with, and seek the advice of, other federally spon-
5 sored researchers in developing the Center’s research
6 agenda.

7 (c) CENTER-INITIATED RESEARCH.—

8 (1) IN GENERAL.—The Center shall conduct a
9 broad-based research program into deployment-re-
10 lated health issues. As part of that program, the
11 Center may, from funds appropriated for that pur-
12 pose, make grants for research into deployment-re-
13 lated health issues. Any such grant shall be made
14 based upon issuance of a request for applications or
15 a request for proposals. Applications and proposals
16 shall be assessed through a peer-review process,
17 which shall, to the extent possible, be carried out by
18 the National Institutes of Health.

19 (2) SOLICITATION OF PROPOSALS.—In con-
20 ducting such research, the Center shall solicit pro-
21 posals from other Federal agencies, from univer-
22 sities, and from other research entities.

23 (3) RESEARCH NETWORK.—In awarding con-
24 tracts for research, the Center shall seek to establish
25 a network of research sites at academic medical cen-

1 ters, university-wide research facilities, and other ap-
2 propriate sources.

3 (d) CORE RESEARCH PRINCIPLES.—Center-initiated
4 research shall be conducted using the following core set
5 of principles:

6 (1) Use of a scientific peer-review process for
7 all research.

8 (2) Dissemination of research results to the sci-
9 entific community through conventional venues of
10 scientific communication.

11 (3) Encouragement of interagency, interdepart-
12 mental, and Federal-academic collaboration.

13 **SEC. 104. ADVISORY COMMITTEE.**

14 (a) ESTABLISHMENT OF ADVISORY COMMITTEE.—
15 The Center shall have an Advisory Committee on Military
16 Deployment Health Research. The Advisory Committee
17 shall advise the Secretary of Health and Human Services
18 and the Director of the Center on all aspects of the activi-
19 ties of the Center.

20 (b) MEMBERSHIP.—The Advisory Committee shall
21 consist of 21 members, appointed as follows:

22 (1) 12 members appointed by the President, of
23 whom—

24 (A) 6 shall be appointed from persons who,
25 by reason of training, experience, and edu-

1 cation, have qualifications in the fields of re-
2 search to be conducted by the Center; and

3 (B) 6 shall be appointed from the general
4 population, including persons representing the
5 interests of veterans and their families and the
6 general public.

7 (2) 3 members appointed by the Secretary of
8 Veterans Affairs from officers and employees of the
9 Department of Veterans Affairs.

10 (3) 3 members appointed by the Secretary of
11 Defense from officers and employees of the Depart-
12 ment of Defense and members of the Armed Forces.

13 (4) 3 members appointed by the Secretary of
14 Health and Human Services from officers and em-
15 ployees of the Department of Health and Human
16 Services.

17 (c) RECOMMENDATIONS BY INDEPENDENT SCI-
18 ENTIFIC ENTITY.—The President shall designate an inde-
19 pendent scientific entity to make recommendations for ap-
20 pointments under paragraph (1) of subsection (b). When
21 making such recommendations, the entity shall rec-
22 ommend twice the number of candidates as there are posi-
23 tions available.

1 (d) TERMS.—Persons appointed to the Advisory
2 Committee under paragraph (1) of subsection (b) shall
3 serve for a term of three years, except that—

4 (1) of the persons initially appointed pursuant
5 to subsection (b)(1)(A), two shall be appointed for a
6 term of one year and two shall be appointed for a
7 term of two years; and

8 (2) of the persons initially appointed pursuant
9 to subsection (b)(1)(B), two shall be appointed for
10 a term of one year and two shall be appointed for
11 a term of two years.

12 (e) PAY AND TRAVEL EXPENSES.—

13 (1) PAY.—Persons appointed to the Advisory
14 Committee under paragraph (1) of subsection (b)
15 shall receive pay at the daily equivalent of the rate
16 of basic pay payable for level V of the Executive
17 Schedule for each day engaged in functions for the
18 Advisory Committee. Persons appointed to the Advi-
19 sory Committee under paragraph (2), (3), or (4) of
20 subsection (b) shall receive no additional compensa-
21 tion by reason of service on the Advisory Committee.

22 (2) TRAVEL EXPENSES.—Members of the Advi-
23 sory Committee shall be allowed travel expenses, in-
24 cluding per diem in lieu of subsistence, at rates au-
25 thorized for employees of agencies under subchapter

1 I of chapter 57 of title 5, United States Code, while
2 away from their homes or regular places of business
3 in the performance of services for the Commission.

4 (f) CHAIR.—The President shall designate one of the
5 members of the Advisory Committee to chair the Advisory
6 Committee.

7 (g) MEETINGS.—The Advisory Committee shall meet
8 on the call of the chair or a majority of the members of
9 the Advisory Board.

10 (h) FEDERAL ADVISORY COMMITTEE ACT.—Section
11 14 of the Federal Advisory Committee Act shall not apply
12 to the Advisory Committee.

13 **SEC. 105. ANNUAL REPORT.**

14 The Secretary of Health and Human Services shall
15 submit to Congress an annual report on the activities of
16 the Center. The report shall include—

17 (1) a description of the activities of the Center
18 during the preceding fiscal year and

19 (2) a detailed description of the proposed budg-
20 et for the Center for the next fiscal year.

21 **SEC. 106. BUDGET.**

22 In the President's budget for any fiscal year sub-
23 mitted to Congress under section 1105 of title 31, United
24 States Code, amounts requested for the activities of the
25 Center shall be set forth separately and distinctly, with

1 amounts requested for the core functions of the Center
 2 and for Center-initiated research identified individually.

3 **TITLE II—CENTERS FOR RE-**
 4 **SEARCH ON POST-DEPLOY-**
 5 **MENT ILLNESSES IN DEPART-**
 6 **MENT OF VETERANS AFFAIRS**

7 **SEC. 201. ESTABLISHMENT OF CENTERS.**

8 (a) IN GENERAL.—Subchapter II of chapter 73 of
 9 title 38, United States Code, is amended by adding at the
 10 end the following new section:

11 **“§ 7327. Centers for research on post-deployment ill-**
 12 **nesses**

13 “(a)(1) The Secretary shall establish and operate
 14 centers for research, education, and clinical activities re-
 15 lated to post-deployment illnesses. Such centers shall be
 16 known as ‘National Centers for Military Post-Deployment
 17 Illness Research’. Such centers shall be established and
 18 operated by collaborating Department facilities as pro-
 19 vided in subsection (c)(1).

20 “(2) For purposes of this section, term ‘post-deploy-
 21 ment illness’ means any health condition being currently
 22 studied or that will be studied that has (or that may have)
 23 an association to or relation to a military deployment mis-
 24 sion, including a peacekeeping mission.

25 “(3) Each such center shall function as a center for—

1 “(A) research on post-deployment illnesses;

2 “(B) the use by the Department of specific models
3 for furnishing services to treat post-deployment ill-
4 nesses;

5 “(C) education and training of health-care profes-
6 sionals of the Department; and

7 “(D) the development and implementation of in-
8 novative clinical activities and systems of care with
9 respect to the delivery of such services by the De-
10 partment.

11 “(4) The Secretary shall provide for the research con-
12 ducted by such centers to be compiled and transmitted to
13 a centrally located coordinating center.

14 “(b)(1) The Secretary shall, upon the recommendation
15 of the Under Secretary for Health, the Secretary of De-
16 fense, and the Secretary of Health and Human Services,
17 designate not more than 25 centers under this section. In
18 making such designations, the Secretary shall ensure that
19 the centers designated are located in various geographic
20 regions of the United States.

21 “(2) The authority of the Secretary to establish and op-
22 erate centers under this section is subject to the appro-
23 priation of funds for that purpose.

24 “(c) The Secretary may not designate a health-care
25 facility as a location for a center under subsection (a) un-

1 less the peer review panel established under subsection (d)
2 has determined under that subsection that the proposal
3 submitted by such facility as a location for a new center
4 under subsection (a) is among those proposals which have
5 met the highest competitive standards of scientific and
6 clinical merit, and the Secretary (upon the recommenda-
7 tion of the Under Secretary for Health) determines that
8 the facility has (or may reasonably be anticipated to de-
9 velop) each of the following:

10 “(1) An arrangement with an accredited med-
11 ical school which provides education and training in
12 post-deployment illnesses and with which such facil-
13 ity is affiliated under which residents receive edu-
14 cation and training in post-deployment illnesses.

15 “(2) An arrangement under which nursing or
16 allied health personnel receive training and edu-
17 cation in post-deployment illnesses.

18 “(3) The ability to attract the participation of
19 scientists who are capable of ingenuity and creativity
20 in health-care research efforts.

21 “(4) A policymaking advisory committee com-
22 posed of appropriate health-care and research rep-
23 resentatives of the facility and of the affiliated
24 school or schools to advise the directors of such fa-
25 cility and such center on policy matters pertaining to

1 the activities of such center during the period of the
2 operation of such center.

3 “(5) The capability to conduct effectively eval-
4 uations of the activities of such center.

5 “(d)(1) In order to provide advice to assist the Sec-
6 retary and the Under Secretary for Health in carrying out
7 their responsibilities under this section, the Under Sec-
8 retary shall establish a panel to assess the scientific and
9 clinical merit of proposals that are submitted to the Sec-
10 retary for the establishment of new centers under this sec-
11 tion.

12 “(2) The membership of the panel shall consist of ex-
13 perts in the fields of post-deployment illnesses research,
14 education, and clinical care. Members of the panel shall
15 serve as consultants to the Department for a period of
16 no longer than six months.

17 “(3) The panel shall review each proposal submitted
18 to the panel by the Under Secretary and shall submit its
19 views on the relative scientific and clinical merit of each
20 such proposal to the Under Secretary.

21 “(4) The panel shall not be subject to the Federal
22 Advisory Committee Act.

23 “(e) There are authorized to be appropriated such
24 sums as may be necessary for the support of the research,
25 treatment, and education activities of the centers estab-

1 lished pursuant to subsection (a). The Under Secretary
2 for Health shall allocate to such centers from other funds
3 appropriated generally for the Department medical care
4 account and medical and prosthetics research account, as
5 appropriate, such amounts as the Under Secretary for
6 Health determines appropriate.

7 “(f) Activities of clinical and scientific investigation
8 at each center established under subsection (a) shall be
9 eligible to compete for the award of funding from funds
10 appropriated for the Department medical and prosthetics
11 research account and shall receive priority in the award
12 of funding from such account insofar as funds are award-
13 ed to projects for research in post-deployment illnesses.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by inserting
16 after the item relating to section 7326 the following new
17 item:

“7327. Centers for research on post-deployment illnesses.”.

